PTO/SB/05 (08-03)
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## UTILITY PATENT APPLICATION **TRANSMITTAL**

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	Attorney Docket No.	PC806.00 / 31132.121			
	First Inventor	Lukas Eisermann			
	Title	ARTICULAR DISC PROSTHESIS A ND METHOD FOR TREATING			
	Express Mail Lahel No	EV 333437137 US			

(Only for	new nonprovisional applications under 37 CFR 1.53(b))		EV 333437137 US			
See MPEP	APPLICATION ELEMENTS chapter 600 concerning utility patent application contents.	ADDRESS TO:	Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450	s. PT		
(Subm 2. Applic See 3 3. Speci (prefer - Desc - Cros - State - Refe or a c - Back - Brief - Brief	Fransmittal Form (e.g., PTO/SB/17)  init an original and a duplicate for fee processing)  cant claims small entity status.  17 CFR 1.27.  ffication [Total Pages 51]  med arrangement set forth below)  criptive title of the invention  is Reference to Related Applications  ment Regarding Fed sponsored R & D  erence to sequence listing, a table,  computer program listing appendix  ground of the Invention  Description of the Drawings (if filed)  illed Description  In(s)	8. Nucleotide and/or Am (if applicable, all nece. a. Computer F  b. Specificatio i. CD-R  ii. Paper	ino Acid Sequence Submissionssary) Readable Form (CRF) on Sequence Listing on:  OM or CD-R (2 copies); or	olies		
	ract of the Disclosure		******	-		
4. Drawing(s) (35 U.S.C. 113) [Total Sheets141] 10.						
5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS						
Customer Number: 27683 OR Correspondence address below						
Name David M. O'Dell						
Address Haynes and Boone, LLP						
City	901 Main Street, Suite 3100 Dallas	State TX	Zip Code 75202			
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Name (Print/Type)   David M. D'Dely Registration No. (Attorney/Agent)   42,044						
Signature Date 2-6-04						
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This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Compl te if Known FEE TRANSMITTAL Application Number Filing Date for FY 2004 First Named Inventor Lukas Eisermann Effective 10/01/2003. Patent fees are subject to annual revision. **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 Art Unit TOTAL AMOUNT OF PAYMENT (\$) 1,198.00PC806.00 / 31132.121 Attorney Docket No METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money Order ✔ Check Credit card Other 3. ADDITIONAL FEES Large Entity | Small Entity ✓ Deposit Account: Fee **Fee Description** Deposit Code (\$) Code (\$) Fee Paid 08-1394 2051 1051 130 65 Surcharge - late filing fee or oath Number Deposit Surcharge - late provisional filing fee or cover sheet 1052 50 2052 Haynes and Boone, LLP Name 130 Non-English specification 1053 130 1053 The Director is authorized to: (check all that apply) 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Credit any overpayments ✓ Charge fee(s) indicated below 920\* Requesting publication of SIR prior to Examiner action 920 1804 1804 Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee Requesting publication of SIR after Examiner action 1805 1,840 1805 1.840\* to the above-identified deposit account. 1251 2251 Extension for reply within first month **FEE CALCULATION** 210 Extension for reply within second month 1252 420 2252 1. BASIC FILING FEE 1253 2253 950 475 Extension for reply within third month arge Entity **Small Entity** Fee Paid Fee Fee Code (\$) Fee Description 2254 1254 1.480 740 Extension for reply within fourth month 1255 2,010 2255 1,005 Extension for reply within fifth month 1001 770 2001 385 Utility filing fee 770.00 1401 330 2401 1002 340 2002 170 Design filing fee 165 Notice of Appeal 2003 265 1402 330 2402 165 Filing a brief in support of an appeal 1003 530 Plant filing fee 1403 290 2403 145 Request for oral hearing 1004 770 2004 385 Reissue filing fee 1005 160 2005 Provisional filing fee 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable SUBTOTAL (1) (\$) 770.00 1453 1,330 2453 665 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,330 2501 665 Utility issue fee (or reissue) Extra Claims below 1502 2502 480 240 Design issue fee -20\*\* = 19 x 18 342.00 1503 640 2503 320 Plant issue fee Independent 4 x 86 - 3\*\* = 11 <u> 86.00</u> 1460 130 1460 130 Petitions to the Commissioner Multiple Dependent 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) Large Entity **Small Entity** 1806 180 180 Submission of Information Disclosure Stmt 1806 Fee Description Fee Fee Code (\$) 40 Recording each patent assignment per Code (\$) 8021 40 8021 property (times number of properties) Claims in excess of 20 1202 18 2202 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1809 770 2809 1201 86 Independent claims in excess of 3 2201 43 1203 290 Multiple dependent claim, if not paid 2203 145 1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) Reissue independent claims 1204 86 2204 43 over original patent 1801 770 2801 385 Request for Continued Examination (RCE) \*\* Reissue claims in excess of 20 1802 900 1802 900 Request for expedited examination 1205 18 2205 and over original patent of a design application (\$) 428.00 Other fee (specify) SUBTOTAL (2) \*Reduced by Basic Filing Fee Paid (\$) 0:00 SUBTOTAL (3) \*\*or number previously paid, if greater; For Reissues, see above SUBMITTED BY (Complete (if applicable)) Registration No. Name (Print/Type) O'DelV 42.044 Telephone 214-651-5000 Davi Signature Date

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Eisermann et al.

Group Art Unit: Unknown

Serial No. Unknown

§

Examiner: Unknown

Filed: Herewith

For: ARTICULAR DISC PROSTHESIS AND METHOD FOR TREATING SPONDYLOLISTHESIS

## **EXPRESS MAIL CERTIFICATE**

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Express Mail Number: EV 333437137 US

Date of Deposit: February 6, 2004

I hereby certify that the following attached papers and fee:

- 1. Utility Patent Application Transmittal;
- 2. Fee Transmittal (in duplicate);
- 3. Application Data Sheet;
- 4. Patent Application consisting of 48 pages of specification, 39 claims and 1 page Abstract of Disclosure;
- 5. Fourteen (14) drawing sheets;
- 6. Executed Power of Attorney;
- 7. Check in the amount of \$1,198.00; and
- 8. Return Postcard

are being deposited with United States Postal Service "Express Mail Post Office to Addressee" to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Bonnie Boyle

Typed or Printed Name

Signature

R-66282.1